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February 14, 2017

**VIA ECF**

Magistrate Judge James Orenstein  
United States District Court  
Eastern District of New York  
225 Cadman Plaza East  
Brooklyn, New York 11201

Re: *Government Employees Insurance Company, et al. v. 21<sup>st</sup> Century Pharmacy, Inc., et al.*  
Docket No. 16-CV-04826 (ERK)(JO)  
RR File No.: 005100-02215

Dear Magistrate Judge Orenstein:

This firm represents Plaintiffs (collectively, "GEICO") in the above referenced matter.

By this letter, GEICO requests an extension of the deadline to join additional parties and to amend pleadings as set by the Court in its November 1, 2016 Scheduling Order. The current deadline to join new parties and to amend pleadings is February 15, 2017. GEICO respectfully requests that this deadline be extended an additional thirty (30) days, to and through March 17, 2017. This is the first request to extend the deadline to join new parties and to amend pleadings and it is made on consent of all counsel, as well as Dr. Duhamel, who is acting pro se.

GEICO submits this request because it is still awaiting responses to its discovery demands from several Defendants, including Defendants Noel Howell, M.D. and Kingston Medical, P.C. who have not yet retained new counsel since the termination of prior counsel on January 4, 2017. (These Defendants have failed to comply with the Court's deadline of February 6, 2017 to retain new counsel. GEICO has inquired of these Defendants regarding same, but have not received any response.) Additionally, GEICO is awaiting responses to non-party deposition subpoenas currently scheduled for February 27, 2017 – March 2, 2017. GEICO expects that the outstanding discovery responses and non-party subpoenas will be relevant to determining whether additional defendants or claims will be added to this action.

We thank the Court for its consideration of this request.

Respectfully submitted,

RIVKIN RADLER LLP

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